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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DAPHNE P. RAND, by and through
DEBRA L. DOLCH, as Conservator of
the Person and Estate of DAPHNE P.
RAND, Conservatee, on Behalf of
Themselves and All Others Similarly
Situating,
Plaintiff,

v.

AMERICAN NATIONAL
INSURANCE COMPANY, a Texas
corporation,
Defendant.

Case No. CV 09-0639-SI
CLASS ACTION

NOTICE OF MOTION AND MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT, CONDITIONAL
APPROVAL OF SETTLEMENT CLASS,
ISSUANCE OF NOTICE TO THE CLASS,
AND SETTING OF FAIRNESS HEARING

JUDGE: Hon. Susan Illston
DATE: June 7, 2011
TIME: 10:00 am
CTRM: 10

1 TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

2 PLEASE TAKE NOTICE that on June 7, 2011, at 10:00 am in Courtroom 10 of
3 the above-titled Court, the Honorable Susan Illston presiding, located at 450 Golden Gate
4 Avenue, San Francisco, CA 94102, Plaintiff will and hereby does move pursuant to
5 Rule 23 of the Federal Rules of Civil Procedure for an order (1) preliminarily
6 approving the Settlement Agreement filed concurrently herewith; (2) conditionally
7 certifying the Settlement Class; (3) approving the Notice of Class Action Settlement
8 attached as Exhibit B to the Settlement Agreement and directing issuance of such
9 Notice to the Class; and (4) setting the date for the hearing on final approval of the
10 Settlement Agreement.

11 This motion is based on this Notice of Motion and Motion, Plaintiff's
12 Memorandum in Support of Motion for Preliminary Approval of Class Action
13 Settlement, Conditional Certification of Settlement Class, Issuance of Notice to the
14 Class, and Setting of Final Approval Hearing, and the Settlement Agreement and Exhibits
15 filed concurrently herewith, and upon such other matters as may be presented at the
16 hearing.

17 Dated May 27, 2011

18 BONNETT, FAIRBOURN, FRIEDMAN &
19 BALINT, P.C.

20 /s/ Andrew S. Friedman

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CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail notice list, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice list.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 27, 2011.

By: /s/Kimberly C. Page